REMARKS

I.   Status of the Application

Claims 1, 2 and 18-21 were pending in the application prior to this amendment. With this amendment, claims 1 and 21 have been amended. No new matter has been added. Claim 2 is hereby cancelled without prejudice or disclaimer.

II.   Response to Rejections Under 35 U.S.C. § 103(a)

Claims 1, 2, 19 and 21 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 6,968,058 to Kondoh, et al. (hereafter, "Kondoh") in view of U.S. Patent No. 6,970,561 to Obana (hereafter, "Obana").

Claims 18 and 20 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Kondoh in view of Obana and further in view of U.S. Patent No. 6,963,363 to Ohmura (hereafter, "Ohmura").

Applicant respectfully submits that Kondoh and Obana, taken either alone or in combination, do not teach or suggest "a key data control unit that generates key data if a user turns on the power of the image sensing apparatus, the key data being used to generate authentication data, the authentication data being used to authenticate whether the image data is altered, wherein the key data control unit erases the key data in accordance with a predetermined condition" as required by previously presented independent claim 1.

The Examiner asserts that the MAC generation unit 11 as taught by Kondoh generates key data (Kprivate). (Office Action page 2) However, Applicant submits that Kondoh provides no teaching or suggestion of "a key data control unit that generates key data if a user turns on the power of the image sensing apparatus...." Kondoh merely discloses that the "MAC generating unit 11 generates a MAC by encrypting the MD **using a private key $K_{private}$ (camera) stored in advance in a private key memory** 10...." (Column 4, line 67 – column 5, line 3) Kondoh merely uses a pre-stored key to generate a MAC. Kondoh provides no teaching or suggestion of generating the key.

The Examiner further asserts that "the operation of re-loading key information disclosed by Obana constitutes generating key data. When data is erased as disclosed by Obana and then subsequently re-loaded when the supply of power is resumed, key data is generated (re-loading constitutes generating key data)." (Office Action, page 3) However, Obana merely

discloses that "when power is turned off, key information stored in a volatile memory in the encrypting apparatus is dynamically erased, and **the same key information is re-loaded when the supply of power is resumed**." (Column 1, line 67 – Column 2, line 4) Previously presented claim 1 requires "a key data control unit that generates key data if a user turns on the power of the image sensing apparatus...." The apparatus set forth in previously presented claim 1, **generates key data** when the power of the image sensing apparatus is turned on. Thus, Obana does not teach or suggest "a key data control unit that generates key data if a user turns on the power of the image sensing apparatus...."

Nonetheless, independent claim 1 has been amended for further clarification to recite, *inter alia*:

> "An image sensing apparatus comprising:...
>
> a key data control unit that (a) generates key data if a user turns on the power of the image sensing apparatus, and (b) erases the key data from the image sensing apparatus if a user turns off the power of the image sensing apparatus,...."

Applicant respectfully submits that Kondoh and Obana, taken either alone or in combination, do not teach or suggest "a key data control unit that (a) generates key data if a user turns on the power of the image sensing apparatus, and (b) erases the key data from the image sensing apparatus if a user turns off the power of the image sensing apparatus" as recited in amended claim 1.

Furthermore, Ohmura merely discloses allowing a user to select one of a plurality of authentication keys and does not remedy the discrepancies discussed above with respect to Kondoh and Obana.

In view of the above, amended independent claim 1 is believed distinguishable over the cited references (i.e., Kondoh, Obana and Ohmura) for at least the reasons discussed above.

Reconsideration and withdrawal of the rejection of claim 1 under 35 U.S.C. §103(a) is respectfully requested.

Applicant has chosen in the interest of expediting prosecution of this patent application to distinguish the cited documents from the pending claims as set forth above. However, these statements should not be regarded in any way as admissions that the cited documents are, in fact, prior art.

Applicant has not specifically addressed the rejections of the dependent claims because Applicant submits that the independent claim from which they depend, either directly or indirectly, is in condition for allowance as set forth above. Accordingly, the dependent claims also are in condition for allowance. Applicant, however, reserves the right to address such rejections of the dependent claims should such be necessary.

Applicant believes that the application is in condition for allowance and such action is respectfully requested.

CONCLUSION

Based on the foregoing and remarks, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims and allowance of this application.
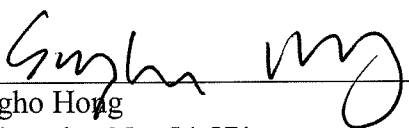
AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. **13-4500**, Order No. 1232-5155. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

Applicants believe that no petition for extension of time is required because the shortened statutory due date falls on a Saturday (i.e., November 10, 2007). In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No **13-4500**, Order No. 1232-5155. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: May 7, 2008   By: _____

Sungho Hong
Registration No. 54,571
(212) 415-8700   Telephone
(212) 415-8701   Facsimile

Correspondence Address:
MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101